

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff(s),)	
)	
vs.)	Case No. 4:19-cr-00851-SRC
)	
LUKE HIGHTOWER)	
Defendant(s).)	
)	

ORDER

This matter is before the Court on Defendant Luke Hightower's Motion to Dismiss Indictment for Lack of Personal and Subject Matter Jurisdiction [Doc. 31] and the United States' Response [Doc. 32]. Pursuant to 28 U.S.C. § 636(b), the Court referred Hightower's Motion to United States Magistrate Judge David D. Noce. Judge Noce held a hearing on Hightower's Motion on March 23, 2020.

On March 25, 2020, Judge Noce filed a Report and Recommendation [Doc. 34], recommending that Hightower's Motion be denied. To date, neither Hightower nor his standby counsel has filed any objections to the Report and Recommendation, and the time to do so has passed.¹ After careful consideration, and in light of Hightower's failure to file objections, the Court adopts and sustains Judge Noce's thorough reasoning as forth in his Report and Recommendation [Doc. 34].

IT IS HEREBY ORDERED that Magistrate Judge David D. Noce's Report and Recommendation [Doc. 34] is **SUSTAINED, ADOPTED** and **INCORPORATED** herein.

¹ Hightower has filed a separate motion to dismiss raising different grounds than the Motion to Dismiss Indictment for Lack of Personal and Subject Matter Jurisdiction [Doc. 31]. See Doc. 35. The Court will address that separate motion to dismiss once it has all submissions it needs to rule.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss Indictment for Lack of Personal and Subject Matter Jurisdiction [Doc. 31] is **DENIED**.

So Ordered this 23rd of April.



STEPHEN R. CLARK
UNITED STATES DISTRICT JUDGE